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13 Attorneys for Defendant

14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA

16 SHERYL SMITH, ) CIVIL ACTION NO. 4:11-cv-01295-SBA  
17 Plaintiff, )  
18 v. ) DEFENDANT'S MOTION AND ~~PROPOSED~~  
19 MICHAEL J. ASTRUE, ) ORDER FOR A 14-DAY EXTENSION FOR  
20 Commissioner of Social Security, ) DEFENDANT TO RESPOND TO PLAINTIFF'S  
21 Defendant. ) MOTION FOR ATTORNEY'S FEES  
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18 Defendant moves for a first extension of time of 14 days to respond to Plaintiff's Motion  
19 for Attorney's Fees. Since Plaintiff filed her motion fourteen days ago, counsel for Defendant has  
20 had an unusually heavy workload, including three employment law cases requiring immediate  
21 action on discovery at the Merit Systems Protection Board and the Equal Employment  
22 Opportunity Commission, and a petition for panel rehearing with the Ninth Circuit Court of  
23 Appeals; and has had eight district court briefs due over the past three weeks. Counsel for  
24 Defendant apologizes for the last-minute request for an extension.  
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Motion and Proposed Order for Extension for EAJA., 4:11-cv-01295-SBA

1 Counsel for Defendant attempted to contact Plaintiff's counsel today, May 1, 2012 by  
2 electronic mail. Counsel for Defendant received an automated response indicating that Plaintiff's  
3 counsel would be out of the office until May 3, 2012. Therefore, counsel for Defendant is unable  
4 to determine whether Plaintiff opposes the instant motion.  
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6 With the fourteen-day extension, Defendant's response will be due May 15, 2012.  
7 Defendant requests that all other deadlines be adjusted accordingly.  
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9 Respectfully submitted,  
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11 MELINDA L. HAAG  
United States Attorney  
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Date: May 1, 2012

By s/ Daniel P. Talbert  
DANIEL P. TALBERT  
Special Assistant U. S. Attorney  
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14 Attorneys for Defendant  
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ORDER

16 Defendant's motion for a 14-day extension is GRANTED. Defendant shall have until  
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18 May 15, 2012, to respond to Plaintiff's motion for attorney's fees.

19 Date: 5/2/12

  
20 SAUNDRA BROWN ARMSTRONG  
UNITED STATES DISTRICT JUDGE  
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